

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**VICTOR JACQUES DANIELS,**

**Defendant.**

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**Case No. 8:06CR117**

**ORDER**

This case is before the court on the defendant Victor Jacques Daniels' Motion to Review Detention and Request for Hearing (#19). The motion is denied.

The defendant's proposed release to live at his prior residence subject to electronic monitoring and curfew fails to adequately address the court's concerns, as set out in the May 9, 2006 Order of Detention (#13), that no condition or combination of conditions will reasonably assure the safety of any other person or the community. In reaching this conclusion, I specifically considered the defendant's prior record, which includes prior convictions resulting in imprisonment for trespass, shoplifting, criminal damage to property-second degree, violation of the Controlled Substance Act, assault in the third degree, protection order, criminal mischief, and resisting arrest. While electronic monitoring may address the issue of appearance at future court proceedings, no component of electronic monitoring could be expected to address the conduct which has led to the defendant's substantial record.

I find that while the defendant's proposed electronic monitoring and curfew may adequately address the court's concerns about his appearance at future court hearings, it does nothing to reasonably assure the safety of any other person or the community.

**IT IS ORDERED:**

1. The defendant's Motion to Review Detention and Request for Hearing (#19) is denied without hearing.

Dated this 28<sup>th</sup> day of June 2006.

BY THE COURT:

s/ F. A. Gossett  
United States Magistrate Judge